

REMARKS

By the present amendment, claim 8 has been amended to correct a typographical omission of the sign “ \leq ” (two occurrences).

It is submitted that this correction is immediate on the basis of the earlier submitted claim, so that it not raise any new issues. Accordingly, entry and consideration of the correction is respectfully requested.

Claims 1-18, 21-35, and 42-52 are pending in the present application. Independent claim 1, and claims 2-7, 21-22, and 48-49 dependent directly or indirectly thereon, are directed to a polarizer. Independent claim 8, and claims 9-18, 23-35, and 50-51 dependent directly or indirectly thereon, are directed to a polarizing plate. Independent claim 42, and claims 43-47 and 52 dependent thereon, are directed to a polarizer.

In the Office Action dated October 18, 2004, all claims remain rejected under 35 U.S.C. 103(a) as obvious over US 6,361,838 to Miyatake et al. (Miyatake) in view of US 6,065,457 to Aminaka (Aminaka). It is alleged in this Office Action that Miyatake teaches a stretched polarizing film at col. 8, lines 1-25, and that Aminaka teaches a thickness of at most 25 microns (at an unspecified location), so that it would have been obvious to make the polarizing film of Miyatake with a thickness of at most 25 microns.

The rejection is respectfully traversed. It is submitted that the Office Action fails to set forth a prima facie case of obviousness, for the following reasons.

First, it is submitted that, contrary to the assertion in the Office Action (see Office Action dated October 18, 2004 on page 3, line 6), a disclosure of a stretched hydrophilic polymer film having a thickness of at most 25 microns is not found in Aminaka. Thus, the general statement

regarding Aminaka in the Office Action cannot replace a reference to a specific disclosure to be found in Aminaka.

Second, Miyatake does not remedy this deficiency of Aminaka. Specifically, it is noted that the previous Office Action referred to Miyatake, not Aminaka, for a teaching regarding thickness, and stated that “Miyatake teaches the oriented film can be between 1 and 500 microns especially suited for films made by extrusion (changing the die size easily changes the thickness) at col. 5, lines 25-50” (Office Action dated June 3, 2004 on page 4, lines 3-5 from the bottom). However, the passage at col. 5, lines 25-50 of Miyatake does not relate to a polarizer consisting essentially of a stretched hydrophilic polymer film but to the “optically isotropic resin film dispersedly containing a liquid crystalline thermoplastic resin as minute regions”. In the discussion of other types of polarizers such as dyed and stretched polyvinyl alcohol films (see Miyatake at col. 8, lines 5-40), no thickness or shrinkage force values are mentioned, and there is no indication that the thicknesses disclosed for the isotropic resin film with liquid crystalline minute regions discussed at cols 5 and 7 could also be adopted for other films having a very different structure, such as stretched polyvinyl alcohol films discussed at col. 8 of Miyatake. As a result, Miyatake does not teach a thickness for the stretched polyvinyl alcohol films.

In view of the above, it is submitted that the Examiner’s position that Miyatake and Aminaka teach or suggest stretched polyvinyl alcohol films having a thickness of at most 25 microns is not supported by specific reference to the text of the cited references. Therefore, for this reason alone, no prima facie case of obviousness has been set forth in the Office Action.

In addition, the Examiner’s interpretation that “[p]er Applicant’s disclosure, to obtain the claimed shrinkage force values is a calculation that depends upon a suitable thickness” (Office

Action dated October 18, 2004 on page 3, lines 4-5) is not accurate. This can be observed on the basis of Examples 2 and 3 in the present specification. The thickness of the polarizer of Example 2 is 18 microns and its shrinkage force is 2.4 N/cm. In contrast, the thickness of the polarizer of Example 3 is 9 microns and its shrinkage force is 3.3 N/cm. Thus, the polarizer of Example 3 is 50% thinner than the polarizer of Example 2, but its shrinkage force is 37.5% higher. In other words, reducing the thickness of the polarizer does not necessarily reduce the shrinkage force. As a result, the assertion that a shrinkage force reduction “would flow naturally from following the suggestion of the prior art [allegedly, to reduce thickness]” (Office Action dated October 18, 2004 on page 3, lines 13-14) is contradicted, not only because of the absence of thickness indication for a stretched polyvinyl alcohol film in Miyatake and Aminaka, but also, because of the absence of necessary correlation between thickness and shrinkage force, as explained above by reference to the Examples of the present specification. Therefore, for this reason also, no prima facie case of obviousness has been set forth in the Office Action.

In contrast, the present inventors have found that a polarizer having a low shrinkage force provides advantages such as avoiding color irregularity or decoloration, as explained in the present specification, and that the reduction of the shrinkage force of a polarizer can be obtained, for example, relative to a thickness of the film before stretching and/or a stretching treatment. Miyatake and Aminaka only disclose conventional polyvinyl alcohol-based polarizers, and are completely silent about a shrinkage force of at most 4.0 N/cm, as recited in present claims 1 and 8, or about manufacturing conditions of their stretched polyvinyl alcohol polarizing films that would necessarily result in a low shrinkage force, such as a thickness before being stretched of not more than 75 microns, as recited in present claim 42. Therefore, for this reason alone, any prima facie

case of obviousness has been rebutted, and the present claims are not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

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